
IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION

**JULIE O'SHAUGHNESSY, individually,
and on behalf of all others similarly situated,**

Plaintiff,

vs.

**YOUNG LIVING ESSENTIAL OILS, LC
D/B/A YOUNG LIVING ESSENTIAL OILS,**

Defendant.

**MEMORANDUM DECISION AND
ORDER RE PLAINTIFF'S MOTION
FOR SCHEDULING ORDER AND
SECOND AMENDED SCHEDULING
ORDER**

Civil No. 2:20-CV-00470-hcn-db

District Judge Howard C. Nielson, Jr.

Chief Magistrate Judge Dustin B. Pead

This matter comes before the court on Plaintiff's Motion for Scheduling Order. (ECF No. 171.)¹ In essence the parties disagree concerning certain deadlines. Plaintiff argues Defendant's proposed deadlines are unreasonable, and Defendant asserts Plaintiff's proposed deadlines violate the court's Order to Propose Schedule (ECF No. 108.) and create unnecessary delay. The court agrees that Plaintiff's proposed deadlines do not comport with the principles and intent of the court's Order to Propose Schedule that is intended to "secure the just, speedy, and inexpensive determination of every action and proceeding and fulfill the purposes of Rules 16 and 26 of the Federal Rules of Civil Procedure." (ECF No. 108 p. 1.) The court therefore rejects Plaintiff's proposed schedule and denies Plaintiff's motion. *See, e.g., Rimrock Constr., LLC v. Artisan Prop. Servs., Ltd.*, No. 2:21-CV-00192-JCB, 2021 WL 3909955, at *2 (D. Utah July 27, 2021) (denying entry of a proposed schedule because it failed to comply with the court's Order to Propose Schedule). The court enters the following Amended Scheduling Order that seeks to strike a balance between the parties' positions.

¹ This matter is referred to the undersigned from Judge Howard C. Nielson, Jr. under 28 U.S.C. § 636(b)(1)(A). (ECF No. 112.)

Pursuant to Rule 16 of the Federal Rules of Civil Procedure, the Court issues the following Scheduling Order.

Task	Date
Deadline to disclose experts (and produce written reports) in support of class certification.	April 7, 2023
Deadline to disclose experts (and produce written reports) in opposition to class certification.	May 5, 2023
Deadline to complete class certification expert depositions.	June 9, 2023
Deadline for Plaintiff to file her Motion for Class Certification.	June 30, 2023
Deadline for Defendant to file its Response to Plaintiff's Motion for Class Certification.	July 28, 2023
Deadline for Plaintiff to file her Reply in support of her Motion for Class Certification.	August 11, 2023
Class Certification Hearing	Contact Judge Nielson's chambers to schedule
Deadline to submit Joint Report on Alternative Dispute Resolution	September 15, 2023
Close of Fact Discovery	January 5, 2024
Deadline to disclose experts (and	February 9, 2024

produce written reports) in support of affirmative claims.	
Deadline to disclose experts (and produce written reports) in opposition to any affirmative claims or in response to a previously designated expert.	March 8, 2024
Deadline to complete merits expert depositions.	April 12, 2024,
Deadline to file Dispositive Motions	May 17, 2024
Deadline for filing a request for a scheduling conference with the district judge for the purpose of setting a trial date if no dispositive motions are filed	May 24, 2024
If dispositive motions are filed and the district judge's ruling on those motions does not resolve the case, the parties shall file a request for a scheduling conference with the district judge for the purpose of setting a trial date no later than one week after the ruling on the dispositive motions.	

DATED this 9 January 2023.



Dustin B. Pead
United States Magistrate Judge